

NOMINATION OF MATTHEW J. KACSMARYK

Mr. LEAHY. Mr. President, later this month our Nation will mark the 50th anniversary of the momentous uprising at the Stonewall Inn, an occasion that led to June being designated as Pride Month. From parades and celebrations to quiet remembrances, millions of Americans are reflecting on the progress made in the last 50 years for LGBTQ rights, but under the current administration, I fear some of that progress is at risk.

President Trump, who once claimed to be an ally of the LGBTQ community, has proven to be anything but that. His administration has pursued a series of administrative rule changes that seek to undermine the progress made by the LGBTQ community. That includes, at seemingly every opportunity, attempting to make life more difficult for transgender individuals, a community of people who already face daily discrimination.

The Trump administration has worked to erase the gender identities of Federal inmates; to restrict access to healthcare and allow homeless shelters to freely discriminate against LGBTQ individuals under the false guise of religious freedom; and to ban transgender servicemembers from our Armed Services, many of whom have served this country for years, including during times of war.

If discrimination by policy were not enough, President Trump also nominated an unapologetic anti-LGBTQ zealot for a lifetime appointment to the Federal bench, a nominee Senate Republicans are ready to confirm on the floor this week.

Matthew Kacsmaryk has a long history of espousing uninformed, offensive, and downright bigoted views of LGBTQ individuals. In 2016, he wrote that the existence of transgender identity is a “delusion” and that treating transgender patients in accordance with their gender identity is “radicalism.” He has repeatedly disparaged the LGBTQ rights movement and described efforts to roll back progress as a “Long War Ahead.” He has argued that discrimination against LGBTQ persons should be legal in employment, public accommodations, and healthcare. He has opposed equality in every possible arena, including anti-discrimination provisions in reauthorizations of the Violence Against Women Act and the Runaway and Homeless Youth Trafficking and Prevention Act, two pieces of legislation that I authored and care about deeply, legislation that attempts to defend the most vulnerable in our society.

No one can credibly claim that an LGBTQ individual, seeking nothing more than equality under the law, would receive a fair hearing from a Judge Matthew Kacsmaryk, a man who considers himself a warrior in the effort to roll back LGBTQ rights. He is simply unfit to serve as a judge. The fact that Senate Republicans would consider the nomination of Matthew

Kacsmaryk during Pride Month adds additional insult to the LGBTQ community, which rightly speaks with a single voice in opposition to this nominee.

Protecting LGBTQ rights need not be a partisan effort. Senator Ted Kennedy and I worked with Republican partners to pass the Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act into law, which ensures that hate crimes motivated by sexual orientation or gender identity are federally recognized and prosecuted. I also worked with Senator CRAPO when we authored the landmark reauthorization and expansion of the Violence Against Women Act in 2013, which expanded protections for LGBTQ victims. The Senate has an opportunity to come together again in enacting much-needed reforms by passing the Equality Act.

A most basic duty of government is to protect its citizens. By allowing President Trump to repeatedly attack the LGBTQ community without taking action or speaking out, the Senate is failing in our duty. American citizens will suffer greatly from discriminatory policies and judges with hostility toward the LGBTQ community. People at their most desperate will be refused medical care and turned away from shelters. Soldiers will be forced to hide who they are or risk being discharged and prevented from serving the country they love. Inmates will be housed with people of a different gender, opening the door to abuse.

If the President is able to sanction overt discrimination against marginalized members of society with impunity, the words “all men are created equal” have little meaning. I implore each member of this body to stand up for the rights of all our LGBTQ constituents and friends, not just during Pride Month, but every month. I, for one, will stand with them.

NOMINATION OF ALLEN COTHREL WINSOR

Mr. SCOTT of Florida. Mr. President, Judge Allen Winsor has honorably served the State of Florida for several years, and I proudly support his confirmation as a district judge for the Northern District of Florida today. He has demonstrated a keen legal acumen and adherence to the rule of law, both in his prior capacity as the solicitor general in the Office of the Florida Attorney General and in his present role as an appellate judge on Florida's First District Court of Appeal. His service on the appellate bench in Florida has consistently reflected his respect for the separation of powers and devotion to the proper function of the judiciary in our democratic system. As Governor of Florida, I had the distinct honor to appoint him to the First District Court of Appeal in 2016, and I am proud to support his confirmation to the Federal bench, where he will continue to serve our State and Nation well.

Mr. ROBERTS. Mr. President, I ask unanimous consent that the votes following the first vote in this series be 10 minutes in length.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the Kacsmaryk nomination?

Mr. TESTER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER) and the Senator from New York (Mrs. GILLIBRAND) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 52, nays 46, as follows:

[Rollcall Vote No. 172 Ex.]

YEAS—52

Alexander	Gardner	Portman
Barrasso	Graham	Risch
Blackburn	Grassley	Roberts
Blunt	Hawley	Romney
Boozman	Hoeven	Rounds
Braun	Hyde-Smith	Rubio
Burr	Inhofe	Sasse
Capito	Isakson	Scott (FL)
Cassidy	Johnson	Scott (SC)
Cornyn	Kennedy	Shelby
Cotton	Lankford	Sullivan
Cramer	Lee	Thune
Crapo	McConnell	Tillis
Cruz	McSally	Toomey
Daines	Moran	Wicker
Enzi	Murkowski	Young
Ernst	Paul	
Fischer	Perdue	

NAYS—46

Baldwin	Heinrich	Sanders
Bennet	Hirono	Schatz
Blumenthal	Jones	Schumer
Brown	Kaine	Shaheen
Cantwell	King	Sinema
Cardin	Klobuchar	Smith
Carper	Leahy	Stabenow
Casey	Manchin	Tester
Collins	Markey	Udall
Coons	Menendez	Van Hollen
Cortez Masto	Merkley	Warner
Duckworth	Murphy	Warren
Durbin	Murray	Whitehouse
Feinstein	Peters	Wyden
Harris	Reed	
Hassan	Rosen	

NOT VOTING—2

Booker Gillibrand

The nomination was confirmed.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the next nomination.

The senior assistant bill clerk read the nomination of Allen Cothrel Winsor, of Florida, to be United States District Judge for the Northern District of Florida.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Winsor nomination?

Mr. BARRASSO. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The senior assistant bill clerk called the roll.